



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JUN 21 2005

Christopher John Rudy
209 Huron Avenue, Suite 8
Port Huron, MI 48060

In re Application of:
John C. MONTAGNA et al.
Application No. 10/696,342
Filed: October 29, 2003

**DECISION ON PETITION TO
INSTRUCT EXAMINER
TO ENTER AMENDMENT**

This is in response to the petition filed April 15, 2005 to enter an accompanying after final amendment.

A review of the record indicates that a final rejection was mailed on January 19, 2005. Applicants submitted an amendment after final on March 21, 2005. An advisory action was mailed on April 5, 2005 indicating non-entry of the amendment after final because of newly added limitations to claim 27. An interview summary was mailed on April 19, 2005 indicating the Examiner reiterated the reasons for non-entry of the amendment after final.

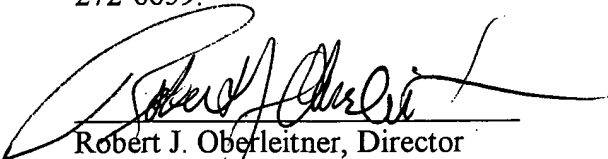
A review of claim 27 reveals that Applicants merely added limitations from independent claim 26, from which claim 27 originally depended, as well as dependent claims 29 and 31. In the final rejection, the Examiner rejected claims 26 and 27 under 35 USC 102(e) over Darbshire '364 and claims 29 and 31 under 35 USC 103(e) over Darbshire '364 in view of Clark et al.

Newly proposed claim 27 does not contain additional limitations that would require a new search and/or additional consideration.

The petition is **GRANTED**.

The application will be returned to the examiner for immediate action consistent with this decision, including the entry of the amendment after final mailed April 15, 2005 and the preparation of a non-final action on the merits.

Telephone inquiries should be directed to D. Glenn Dayoan, Supervisory Patent Examiner, at (571) 272-6659.



Robert J. Oberleitner, Director
Patent Technology Center 3600
(571) 272-5350